

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

DEC 18 AM 10:37

CLERK OF DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY AD

BANCPASS, INC.,

Plaintiff,

-vs-

Case No. A-14-CV-1062-SS

HIGHWAY TOLL ADMINISTRATION, LLC,
Defendant.

ORDER

BE IT REMEMBERED on this day the Court reviewed the file in the above-styled cause, and specifically "Defendant's Rule 12(B)(6) Motion to Dismiss for Failure to State a Claim" [#4 filed December 1, 2014] and the plaintiff's response to the same [#8 filed December 15, 2014] and thereafter enters the following:

IT IS ORDERED that the defendant's Rule 12(B)(6) motion to dismiss is DENIED. While there is validity to the criticism by the defendant that the plaintiff is editorializing more than factually alleging causes of action, the pleading is sufficient to pass the parameters of Rule 12. The allegations sufficiently set out the factual allegations and the requested relief whereby the defendant easily can determine what this lawsuit is about. The parties are instructed to fully comply with this Court's order of December 5, 2014.

SIGNED this the 17th day of December 2014.

Barnes
UNITED STATES DISTRICT JUDGE

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